

GENERAL WAIVER COVER SHEET

CALIFORNIA STATE BOARD OF EDUCATION

SEPTEMBER 2003 AGENDA

Item No. W-1

TITLE: Request by the Alhambra City Elementary School District and the Alhambra City High School District to waive part or all of <i>Education Code</i> (EC) Sections 5033, 35101, 35102, 35106, 35737, and 35756-35765 regarding elections for unification proposals and governing boards of newly unified school districts.	<input checked="" type="checkbox"/> ACTION <input type="checkbox"/> INFORMATION <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> CONSENT
CDSIS: 50-6-2003	

RECOMMENDATION:

The Department recommends: ☒ Approval on the condition that the State Board of Education (SBE) has also approved the proposal to unify Alhambra City Elementary School District and the Alhambra City High School District.

Summary of Previous State Board of Education Discussion and Action:

In June 1998, the SBE conditionally approved waiver requests from the Napa Valley Unified School District and the Winters Joint Unified School District to allow a transfer of territory without an election. The conditions of approval required the Napa and Yolo county committees on school district organization to find all the conditions for a proposed transfer of territory had been substantially met.

To staff's knowledge, the SBE has never received a request to waive election of a governing board for a newly unified school district. The SBE has approved waivers to allow concurrent membership on a governing board of a newly unified district and the governing board of a district reorganized into the unified district and that will cease to exist after unification.

Summary of Key Issue(s):

Alhambra City Elementary District and Alhambra City High School District have operated with a common administration and common governing board for over 100 years. These districts are one of only five pairs of districts in the state that current law (*Education Code* (EC) Section 35111) requires to be treated as a single district for almost all purposes including, but not limited to, budget and personnel matters.

Staff supports waiver of the required election on the proposal for unification (should the SBE approve unification) because: (1) the two districts currently operate in almost all respects as a unified district, (2) unification will result in no recognizable change in operation for the general public, (3) students will continue to attend the same schools, and (4) there will be no effects on district staff.

Staff supports waiver of the required election for an initial governing board for the newly unified district because (1) current governing board members were voted into office by exactly the same electorate that would vote for the new governing board, (2) current governing board members were elected to oversee both the elementary and secondary programs, and (3) current governing board members function in almost all respects as the governing board of a unified district.

It is the opinion of staff that such elections are unnecessary expenses when the outcomes result in no discernible change.

Bargaining unit(s) consulted on: 5/5/03 for CSEA; 5/13/03 for ATA

Position of bargaining unit (choose only one):

☐ Neutral

☒ Support

☐ Oppose

Name of bargaining unit representative: Darlene Perez for CSEA; Gloria Tauson for ATA

Public hearing identified by (choose one or more):

☒ posting in a newspaper

☐ posting at each school

☒ other

(specify): school district office, Chamber of Commerce, City Hall, Public Library

Public hearing held on: 6/3/2003

Local board approval date: 6/3/2003

Advisory committee(s) consulted: N/A

Objections raised (choose one): ☐ None ☐ Objections are attached on separate sheet

Date consulted: N/A

Effective dates of request: September 11, 2003 to July 1, 2005

Fiscal Analysis (as appropriate):

The districts would avoid election costs.

Background Information:

Documentation is attached to this Summary:

Attachment 1: Alhambra City School District General Waiver Request (Pages 1-12) (This attachment is not available on the Web.)